



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

MAY 03 2010

Ms. Peggy Casey, Environmental Projects Team Leader  
Federal Highway Administration  
3220 W Edgewood, Suite H  
Jefferson City, MO 65109

Mr. Kevin Keith, Chief Engineer  
Missouri Department of Transportation  
P.O. Box 270  
Jefferson City, MO 65102

Dear Ms. Casey and Mr. Keith:

RE: Review of Draft Environmental Impact Statement for First Tier - Future I-70  
Kansas City Metro Project, Proposing to Improve I-70 Corridor from East of the  
Missouri and Kansas State Line to East of I-470 Interchange, Downtown Central  
Business Freeway Loop, Kansas City, Jackson County, MO.

The U.S. Environmental Protection Agency (EPA) has reviewed the First Tier -- Future I-70 Draft Environmental Impact Statement (DEIS). Our review is provided pursuant to the National Environmental Policy Act 42 U.S.C. 4231, Council on Environmental Quality regulations 40 C.F.R. Parts 1500-1508, and Section 309 of the Clean Air Act. The DEIS was assigned the CEQ number 20100074.

Based on our overall review and the level of our comments, the EPA has rated the DEIS for this project Lack of Objections (LO).

EPA offers the following recommendations as the Final EIS is developed:

1. The illustration on Page ES-1 explains that five sub-areas of independent utility will be "broken down into multiple future Second Tier environmental studies". EPA recommends that the Final FTEIS provide a description of the various types of environmental studies, and some insight into the criteria that will be used to determine the type of NEPA analysis accorded to each of the 5 sub-areas (EIS, EA or CE). One good reference for this would be the CEQ's "A Citizen's Guide to the NEPA" ([http://ceq.hss.doe.gov/nepa/Citizens\\_Guide\\_Dec07.pdf](http://ceq.hss.doe.gov/nepa/Citizens_Guide_Dec07.pdf)).
2. Page ES-13 states that MoDOT is mandated to identify and address disproportionately high and adverse human health or environmental effects of proposed projects on minority and low-income populations. Further, this section indicates that the No-Build Strategy

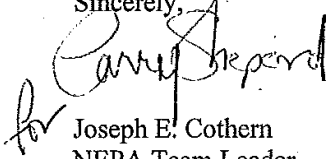


will have no disproportionate and adverse effect. EPA believes that this conclusion should be re-evaluated in light of the fact that the Benton and Jackson Curves are identified as EJ areas, and in a No-Build scenario, any diminishing LOS could result in increased air pollution such as Mobile Source Air Toxics (MSATS), Carbon Monoxide (CO), and Ozone (O<sub>3</sub>).

3. EPA recommends providing some narrative to describe "Operation Green Light" and "Smart Moves Regional Transit Vision" in the FTEIS.

Thank you for the opportunity to provide our comments regarding this project. If you have any questions, please contact me at 913-551-7148 or via email at [cothern.joe@epa.gov](mailto:cothern.joe@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "for Joseph E. Cothorn". The signature is written in a cursive, flowing style.

Joseph E. Cothorn  
NEPA Team Leader  
Environmental Services Division